

NATIONAL DEFENSE UNIVERSITY

NATIONAL WAR COLLEGE

PRESIDENTIAL POLICIES ON
INTEGRATION OF THE MILITARY

LT COL ALAN C. EKREM/CLASS OF 2000
COURSE 5603

FACULTY SEMINAR LEADER:
COL LARSEN

FACULTY ADVISOR:
LT COL CLODFELTER

Report Documentation Page				Form Approved OMB No. 0704-0188	
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE 2000		2. REPORT TYPE		3. DATES COVERED 00-00-2000 to 00-00-2000	
4. TITLE AND SUBTITLE Presidential Policies on Integration of the Military				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S)				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) National War College, 300 5th Avenue, Fort Lesley J. McNair, Washington, DC, 20319-6000				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT see report					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT	18. NUMBER OF PAGES 12	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

The genius of the government our Founding Fathers designed was based on one central theme: the profound mistrust of power. Consequently, this nation's government was conceived with an intricate system of checks and balances to ensure no single entity could grow too powerful and subvert the will of the people. An interesting case study of checks and balances involves the President and his use of executive orders. Case in point, some might imagine the President of the United States could make a policy decision concerning the armed forces and have his decision implemented. After all, the Constitution appoints the President as the commander-in-chief. However, therein lies the genius of how our system of government was designed. Despite making the President the commander-in-chief of our armed forces, the Constitution entrusted the Congress "to raise and support armies...to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces." A practical example of this deliberately designed cumbersome relationship, may be found in two presidential attempts this century to integrate the armed forces of the United States of America by executive order. President Harry Truman was successful when he integrated blacks in the military in 1948. President William Clinton failed in his attempt to integrate homosexuals in 1993. To be sure, both decisions were extremely controversial. Why did one president succeed and the other fail? I believe the key to success or failure is understanding the role of Congress. Truman did. Clinton did not.

The Background of President Truman's Decision

In many ways, the impetus behind President Truman's decision to desegregate the armed forces could be traced back to the Civil War. The forces for integration began when President Lincoln reasserted what our Founding Fathers had declared -- that all

men are created equal. Early in the Truman administration, Secretary of War Robert P. Patterson appointed a board of military officers chaired by General A. C. Gillem to examine the issue of blacks in the Army. Essentially, the board concluded the Army should maintain a separate but equal policy. In other words, maintain segregation, but blacks should be "accorded equal rights and opportunities for advancement and professional development".¹ Truman was not satisfied with the situation, so in 1946, he appointed the President's Committee on Civil Rights. The following year the Committee issued several findings, one of which condemned the policy of segregation and called for legislative and administrative action to end all vestiges of racism and segregation in the military.²

As one might imagine, politicians from around the nation reflected the broad spectrum of public opinion on desegregation of the armed forces. However, the larger issue of civil rights in general was beginning to come to the forefront of national debate. At the 1948 Democratic National Convention, Mayor Hubert H. Humphrey of Minneapolis stepped to the podium and announced, "There are those who say to you -- we are rushing this issue of civil rights. I say we are a hundred and seventy-two years late....The time has arrived for the Democratic Party to get out of the shadow of states' rights and walk forthrightly into the bright sunshine of human rights."³ Still, despite the platform adopted at the Democratic Convention and the findings of the President's Committee on Civil Rights, Truman sensed legislative action would not be forthcoming in a timely manner. Indeed, Congress had recently failed to include any anti-segregation amendments in the

¹ Morris J. MacGregor, Jr., Integration of the Armed Forces 1940-1945, (Washington, DC: Center of Military History United States Army, 1981), p. 157.

² Ibid., p. 296.

³ David McCullough, Truman, (New York: Simon and Schuster, 1992) p. 639.

Selective Service Act of 1948.⁴ Consequently, Truman announced his decision to end segregation in the armed forces by executive order. On 26 July 1948, President Truman signed Executive Order 9981, which states, "It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion, or national origin." In addition, the order also established a Presidential Committee on Equality of Treatment and Opportunity in the Armed Services.

To be sure, Truman's order met with resistance in some corners of Capitol Hill and at the Pentagon. For example, soon after Truman issued the executive order he went to address a joint session of Congress where some Members expressed their hostility by not rising as he entered the chamber.⁵ In regard to the military, the same day Truman signed the executive order, General Omar Bradley, the new Army Chief of Staff spoke in favor of maintaining the current policy of segregation.⁶ Furthermore, when the Presidential Committee on Equality of Treatment and Opportunity in the Armed Services began its hearings, the Army and Marine Corps leadership continued to defend their policy of segregation. Indeed, even 18 months after President Truman signed the order, the Army was still dragging its feet on desegregation. Finally, the Army proposed a plan that was acceptable to Truman and by 1951 the Department of Defense integrated all aspects of basic training. Certainly there were problems with the integration of blacks in the armed forces, but Truman had enough support in Congress to ensure his order remained in effect and his policy became reality.

⁴ Harold F. Gosnell, A Political Biography of Harry S. Truman, (London: Greenwood Press, 1980), p. 334.

⁵ Truman, p. 651.

⁶ Integration of the Armed Forces, p. 317.

The Background of President Clinton's Decision

On several occasions when Clinton was campaigning for President, he announced his intention to repeal a ban on homosexuals serving in the military. For example, in January 1992, he promised as President he would sign an executive order ending discrimination of homosexuals in the military because "patriotic Americans should have the right to serve the country as a member of the armed forces, without regard to sexual or affectional orientation."⁷ The next month, he reinforced his views in an interview with *The Advocate* stating that, "If elected, I would reverse a ban on gays and lesbians serving in the United States armed forces. People should be free to pursue their personal lives without government interference."⁸ Naturally, the homosexual community applauded his stance and showed their support by contributing nearly four million dollars to his campaign. However, his remarks drew little attention on main street America since his promises were made in speeches to homosexual groups or in interviews with gay magazines and newspapers.

Naively, Clinton mistook the support he received in the homosexual community, coupled with the lack of opposing rhetoric and assumed the average American agreed with his views. Consequently, he immediately responded in the affirmative when a reporter asked after the election if he intended to honor his pledge to integrate homosexuals in the military.

Now however, people were listening and many did not like what they heard. The Joint Chiefs of Staff began to "lobby" Clinton soon after the announcement that they

⁷ Robert E. Denton, Jr., and Rachel L. Holloway, eds., The Clinton Presidency, (London, Praeger, 1996), p. 196.

⁸ Ibid., p. 196.

were not in favor of the idea. And several Members of Congress spoke out in the press and on television that it may not be in the best interest of national security to allow homosexuals to openly serve in the armed forces. Clinton was already under pressure for beginning to waffle on some campaign promises he had made. Now he felt it was time to draw a line in the sand and he told reporters he was not going to change his position on this issue.⁹ Clinton further exacerbated the matter when he felt he did not have time to meet with the Joint Chiefs of Staff on this issue. Rather, he sent an intermediary, John Holcum who only made matters worse when he told the highest-ranking officers in the military that he "was not here to advise the president-elect *whether* to end the ban on gays in the military. I am here to discuss with you *how* this policy change can be done in a way least disruptive to your military mission."¹⁰

The chiefs felt frustrated. In response to their frustration, Secretary of Defense-designate Les Aspin called for a meeting. He told the chiefs that Clinton intended to end the ban, but he would listen carefully to their views. After the meeting, the chiefs felt that Aspin at least understood their concerns and would carry that message to the president-elect. However, just as the chiefs spirits were initially buoyed by the meeting with Aspin, a memo by two of his key aids was made public. The memo was emphatic: "This is not a negotiation."¹¹ Now the chiefs felt betrayed.

The next move was up to Senator Sam Nunn, a Democrat from Georgia and the powerful chairman of the Senate Armed Services Committee. Nunn let Clinton know that he was opposed to homosexuals serving openly in the military and that Congress

⁹ Ibid., p. 197.

¹⁰ Tom Matthews, "Clinton's Growing Pains," Newsweek, 3 May 1993, 35.

¹¹ The Clinton Presidency, p. 202.

played a key role in any decision. Frankly, Nunn made it clear that Congress had the responsibility and the power to decide the issue. Then Senator Dan Coats of Indiana, stated that when Congress reconvened, he would introduce legislation to codify the ban against homosexuals serving in the military. This would checkmate any executive order Clinton may issue.

Clinton must have felt extremely depressed. Here he had not even been sworn in as President yet and he had alienated key members of Congress -- to include those within his own party -- and the Joint Chiefs of Staff. Clinton began to realize he could not win an easy victory on this issue, so he devised a way to buy some time. On 29 January 1993, he announced that he would delay any decision on the matter until 15 July 1993. That would give Congress and the Department of Defense the necessary time to "study" the matter. Congress held hearings and the subject was thoroughly examined at the Pentagon. As the summer deadline approached, Clinton learned that he did not have the support in Congress for an executive order to end the ban, so he sought a compromise. In the end, Clinton negotiated with Nunn and the chiefs on a compromise called, "don't ask, don't tell." Essentially, the policy allowed homosexuals to serve in the military if they remained celibate and did not reveal their sexual orientation. In return, the military was not to ask anyone's sexual orientation and refrain from "witch hunts" for homosexuals. When all was said and done, the policy was largely the exact same policy the military had operated under before the entire episode began.

The Role of Congress

Why did Truman succeed in integrating blacks into the military in 1948 and why did Clinton fail to integrate homosexuals in 1993? At first glance, there were many

similarities between these issues. To be sure, both were very contentious decisions and public opinion was represented across the full spectrum. On one end of the spectrum many supported the integration of blacks by Truman or homosexuals by Clinton. In fact, many people felt integration for both minorities was long overdue. On the other end of the spectrum, some people deeply resented the possibility of integration. Hatred was manifested by the harsh reality of blacks being lynched in 1948 and homosexuals being murdered in 1993.

Another similarity involved the influence of non-governmental organizations. In 1948, well respected civil rights and religious groups demanded integration. However, other groups like the Ku Klux Klan exerted influence in an attempt to stop desegregation. In 1993, the well organized gay lobby made their voice known through the media and the money they contributed to various political campaigns. On the other end of the spectrum, several religious and conservative organizations were adamantly opposed to integrating homosexuals into the military.

So with public opinion radicals on both ends of the spectrum and interests groups trying to push their specific agendas, what made the difference? The key to successful integration was Congress. Harry Truman understood the role of Congress and Bill Clinton did not.

Truman had been a Senator and his experience in Congress served him well. He knew desegregation was not an immensely popular issue in Congress and legislative action would take far too long. However, he also knew he had to have enough support in Congress to ensure his executive order would not be overturned through the legislative process. Therefore, rather than abruptly force the issue with an executive order in 1946,

he appointed a presidential commission to study the matter. All members of the commission were well respected Americans and Charles E. Wilson, the president of General Electric, served as chairman. After more than a year of careful study, the committee's findings helped serve as a key basis of support in Congress. In regard to the military, although few generals or admirals favored the idea of desegregation, Truman had served in an honorable and heroic fashion in World War I and he enjoyed the respect of the military. So with the committee's findings and the military's eventual acquiescence on the issue, Truman knew he had sufficient support in Congress.

Clinton, on the other hand, seemed oblivious to the role of Congress. Before making his announcement, he did not test the waters on Capitol Hill. And, he did not conduct any serious study of the matter. He just "felt" it was the right thing to do. Clinton also lacked any credibility with the military. He had avoided serving in the armed forces during the Vietnam War and many wondered what expertise he possessed that allowed him to make such a judgement. Therefore, when the military spoke out against the issue, Clinton eventually realized he could not overcome the momentum building in Congress. Clinton finally understood that without the support of Congress, any executive order attempting to integrate homosexuals into the military would be overturned by legislation.

Conclusion

So what is one to learn from these examples of executive orders? Executive orders fit perfectly into the intricate system of checks and balances designed by the Founding Fathers. Executive orders can be extraordinarily useful tools for the President. However, in accordance with the way our system of government was designed, executive orders are fragile in nature. They can be immediately cast aside by the next President or

checkmated by Congressional legislation. The key to success is to understand the role of Congress and ensure a broad basis of support. As with any action in Washington, it is important to gain a consensus. It is especially important on controversial issues when Congressional support is an absolute necessity. Truman wisely understood the role of Congress and ensured he had sufficient support on Capitol Hill before he issued his executive order. Clinton, on the other hand, did not comprehend the legitimate role of Congress vis-à-vis the Constitution. Unfortunately, Clinton may still not understand the role of Congress as evidenced by his failure to convince the Senate to ratify the Comprehensive Test Ban Treaty.

Appendix

Executive Order 9981

Establishing the President's Committee on Equality of Treatment and Opportunity In the Armed Forces.

WHEREAS it is essential that there be maintained in the armed services of the United States the highest standards of democracy, with equality of treatment and opportunity for all those who serve in our country's defense:

NOW THEREFORE, by virtue of the authority vested in me as President of the United States, by the Constitution and the statutes of the United States, and as Commander in Chief of the armed services, it is hereby ordered as follows:

1. It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale.
2. There shall be created in the National Military Establishment an advisory committee to be known as the President's Committee on Equality of Treatment and Opportunity in the Armed Services, which shall be composed of seven members to be designated by the President.
3. The Committee is authorized on behalf of the President to examine into the rules, procedures and practices of the Armed Services in order to determine in what respect such rules, procedures and practices may be altered or improved with a view to carrying out the policy of this order. The Committee shall confer and advise the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, and shall make such recommendations to the President and to said Secretaries as in the judgment of the Committee will effectuate the policy hereof.
4. All executive departments and agencies of the Federal Government are authorized and directed to cooperate with the Committee in its work, and to furnish the Committee such information or the services of such persons as the Committee may require in the performance of its duties.
5. When requested by the Committee to do so, persons in the armed services or in any of the executive departments and agencies of the Federal Government shall testify before the Committee and shall make available for use of the Committee such documents and other information as the Committee may require.
6. The Committee shall continue to exist until such time as the President shall terminate its existence by Executive order.

Harry Truman

The White House
July 26, 1948

Bibliography

Denton, Robert E., Jr. The Clinton Presidency. London: Praeger Publishing Co., 1996.

Gosnell, Harold F. A Political Biography of Harry S. Truman. London: Greenwood Press, 1980.

MacGregor, Morris J., Jr. Integration of the Armed Forces 1940-1945. Washington, DC: Center of Military History United States Army, 1981.

Matthews, Tom, "Clinton's Growing Pains." *Newsweek*, (3 May 1993): 35.

McCullough, David. Truman. New York: Simon and Schuster, 1992.